

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JULY 10, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:11 a.m. A quorum was not present. Council Member McCarty entered 10:12, and a quorum was present. The meeting was recessed by Mayor O'Connor at 11:56 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:03 p.m. without a quorum. A quorum was present at 2:08 p.m. with Council Members Hartley, Pratt, Henderson, and Filner not present. The meeting was recessed by Mayor O'Connor at 4:28 p.m. The meeting was reconvened by Mayor O'Connor at 4:37 p.m. with Council Members Hartley, Pratt, and Filner not present. The meeting was recessed by Mayor O'Connor at 5:24 p.m. to meet in Closed Session, in the 12th Floor Conference Room, to discuss pending litigation. Mayor O'Connor reconvened the meeting at 5:46 p.m. with Council Members Hartley, Pratt, and Filner not present. Mayor O'Connor adjourned the meeting at 6:25 p.m. into Closed Session on July 11, 1990, in the 12th Floor Conference, to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present

- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Fishkin (eb,rb)

FILE LOCATION: MINUTES

Jul-10-1990

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

ITEM-330: (R-90-1957) ADOPTED AS RESOLUTION R-276112

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Scripps-Miramar Ranch Landscape and Lighting Maintenance District.

(Scripps-Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Scripps-Miramar Ranch Landscape and Lighting Maintenance District. The district provides landscape maintenance for open space and center islands, and maintenance for street light standards. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$157,500
Personnel	41,582
Utilities	37,000
Incidentals	34,944*
Total Expense	\$271,026
Reserve	73,515
Total	\$344,541
Less Carry-over & Interest	153,000
Less City Contribution	12,470

Assessed to District \$179,071

\*Includes Assessment District Management Fee of \$15,669.

The proposed unit assessment for Fiscal Year 1991 is approximately \$32. Unit assessment for Fiscal Year 1990 was \$29.31.

FILE LOCATION: STRT M-210

COUNCIL ACTION: (Tape location: A070-081.)

Hearing began 10:12 a.m. and halted 10:13 a.m.

MOTION BY HENDERSON TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-331: (O-90-210) CONTINUED TO JULY 24, 1990

A proposal to consider the Multi-Family Residential Design Regulations to address the issues of bulk and scale, parking, landscaping and the quality of new multi-family residential projects. Proposed regulations would amend the R Zones (Multiple Family Residential), the City-wide Landscape Ordinance and the Multi-Family Parking Requirements by establishing:

- Thresholds for discretionary review;

- Lot consolidation prohibition;

- Street facade requirements regarding entries, windows, pedestrian access, garages and carports;

- Flexible building envelope requirements, including front of lot height restrictions, offsetting planes, variable yard setbacks, permitted encroachments, and private exterior area;

- Requirements for refuse and general storage areas;

- Screening requirements for utility and refuse areas;

- Alley access parking requirements;

- Parking space size requirements and curb cut limitations; and

- Preservation of large tree(s) in front of lot.

The following sections of the Municipal Code would be amended:

- 101.0410 R Zones (Multiple Family Residential);

- 101.0713 Measured Compliance (City-wide Landscape Regulations);

101.0835 Multi-family Parking requirements.

The City of San Diego Local Coastal Program would also be amended.

These regulations would apply to Multi-family Residential Ministerial Permit applications City-wide, except in areas governed by Planned District Ordinances.

(City-wide.)

Introduction of an Ordinance amending the Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A088-281.)

Hearing began 10:14 a.m. and halted 10:29 a.m.

Testimony on a continuance by Chris Stokes and Dave Odell.

MOTION BY McCARTY TO CONTINUE TO JULY 24, 1990, 10:00 A.M. AT COUNCIL MEMBER McCARTY'S REQUEST FOR COMMUNITY GROUPS TO REVIEW

THE MATTER. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: CONTINUED TO JULY 17, 1990 AT 2:00 P.M.

Two actions relative to Emergency Transportation Congestion Management and Phasing Ordinance for 1990 and Emergency Capital Facilities Planning Ordinance for 1990:

Subitem-A: (O-90-213)

Introduction and adoption of an Emergency Ordinance relating to land development; providing for the timing and sequencing of land development in accordance with the capacity of transportation facilities to serve new development; providing definitions; providing for development review; providing criteria for development phasing limits based upon preferred levels of service standards for specified transportations facilities; providing for exemptions; providing criteria for relief from phasing requirements; providing for the interpretation and administration of the development phasing system; providing for applicability; providing for the effect of this ordinance on other ordinances and regulations;

providing for severability; and providing for an effective

date.

NOTE: Six votes required.

Subitem-B: (O-90-214)

Introduction and adoption of an Emergency Ordinance establishing a Capital Facilities Plan for the City of San Diego; providing standards and criteria for the inclusion of public facilities in the Capital Facilities Plan; providing guidelines for the preparation of the Capital Facilities Plan; relating the Capital Facilities Plan to other regulatory programs and providing an effective date.

NOTE: Six votes required.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A283-C346, D150-G251.)

Mayor O'Connor closed the hearing.

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO JULY 17, 1990, DUE TO LACK OF A QUORUM. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-333: (R-90-1967) ADOPTED AS RESOLUTION R-276113

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Rancho Bernardo Landscape Maintenance District.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Rancho Bernardo Landscape Maintenance District. The district provides maintenance of landscaped and paved street medians and streetscapes. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 82,000
Personnel	10,396
Utilities	25,000
Incidentals	21,169*
Total Expenses	\$138,565
Reserve	62,445
Total	\$201,010
Less Carry-over & Interest	80,000

Less City Contribution	13,221
Assessed to District	\$107,789

\* Includes Assessment District Management Fee of \$8,019.

The annual assessment for Fiscal Year 1991 will be approximately \$7.82 per dwelling unit, as compared to \$8.60 for Fiscal Year 1990. The decrease from Fiscal Year 1990 assessment amount reflects the community's growth and consequential increase in the assessable units, thus lowering the unit cost.

FILE LOCATION: STRT M-212

COUNCIL ACTION: (Tape location: D122-125.)

Hearing began at 2:13 p.m. and halted at 2:14 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 333, 334, AND 335. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334: (R-90-1954) ADOPTED AS RESOLUTION R-276114

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Newport Avenue Landscape Maintenance District.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Newport Avenue Landscape Maintenance District. The improvements are provided as part of an overall commercial revitalization program in the area. The Fiscal Year 1991 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$10,250
Personnel	6,237
Utilities	1,400
Incidentals	7,354*
Total Expenses	\$25,241
Reserve	2,119
Total	\$27,360
Less Carry-over & Interest	5,900
Less City Contribution	0
Assessed to District	\$21,460

\*Includes Assessment District Management Fee of \$1,475.

As the district was established last year and the assessments

were only for the last 6 months instead of a full year, the assessments covering one year have increased from \$3.43 per frontage foot to \$6.25 per frontage foot.

FILE LOCATION: STRT M-213

COUNCIL ACTION: (Tape location: D122-125.)

Hearing began at 2:13 p.m. and halted at 2:14 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 333, 334, AND 335. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-335: (R-90-1951) ADOPTED AS RESOLUTION R-276115

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Carmel Mountain Ranch Landscape Maintenance District.

(Rancho Carmel Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Carmel Mountain Ranch Landscape Maintenance District provides maintenance of landscaped medians and streetscapes within the district boundaries. In Fiscal Year 1991, the district will take over the maintenance of a larger portion of the existing landscaping improvements. The developer will maintain other areas until they are turned over to the district. The 1991 proposed maintenance costs are as follows:

Contractual Maintenance	\$ 63,000
Personnel	20,791
Utilities	10,500
Incidentals	22,721*
Total Expenses	\$117,012
Reserve	69,396
Total	\$186,408
Less Carry-over & Interest	134,600
Less City Contribution	2,960
Assessed to District	\$ 48,848

\*Includes Assessment Management Fee of \$6,763.

The proposed unit assessment for Fiscal Year 1991 is approximately \$3.94 compared to \$3.24 in Fiscal Year 1990. The increase in Fiscal Year 1991 assessment is due to the fact that new areas anticipated to be maintained by the district in Fiscal

Year 1990 are being included for maintenance by the district in Fiscal Year 1991.

FILE LOCATION: STRT M-214

COUNCIL ACTION: (Tape location: D122-125.)

Hearing began at 2:13 p.m. and halted at 2:14 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 333, 334, AND 335. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-336: (O-90-209) CONTINUED TO JULY 16, 1990, AND JULY 31, 1990

A proposal to amend the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code to delete the Black Mountain Road, Miramar Ranch North and County Island Annexation areas from Paragraph E., Exclusions.

(District-5.)

Introduction of an Ordinance deleting the exclusions for Black Mountain Road Assessment District, the Miramar Ranch North Community Plan area and the County Island from the Resource Protection Ordinance, Section 101.0462, Paragraphs E4, 5 and 6 of the Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D064-104.)

MOTION BY BERNHARDT TO CONTINUE THAT PORTION OF THE ITEM RELATING TO MIRAMAR RANCH NORTH TO JULY 31, 1990, WITH THE REMAINDER OF THE ITEM TO BE HEARD TODAY. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM (EXCEPT THAT PORTION PERTAINING TO MIRAMAR RANCH NORTH) TO JULY 16, 1990, FOR FULL COUNCIL. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.



ITEM-337: CONTINUED TO JULY 31, 1990

Consideration of the Planning Commission's recommendation to the City Council for initiation of an amendment or update of the Miramar Ranch North Community Plan to provide for a revised pattern, type, and intensity of development in portions of the community to meet the provisions of the Resource Protection Ordinance. The City Council will also consider whether the public facility provisions, phasing program, and facilities financing plan for Miramar Ranch North are adequate to meet the needs of the community and if they should be revised and whether the Hillside Review Overlay Zone should be applied to qualifying areas where it has not previously been applied. The issue of whether the Miramar Ranch North and Scripps Miramar Ranch Community Plans should be merged into a single planning area and merger of the community planning groups will also be discussed.

(District-5.)

Subitem-A: (R-90-2024)

Adoption of a Resolution approving the initiation of an update of the Miramar Ranch North Community Plan and Facilities Financing Plan and initiation of the application of the Hillside Review Overlay Zone to qualifying areas.

Subitem-B: (R-90-2025)

Adoption of a Resolution conceptually approving a merger of the Scripps Miramar Ranch and Miramar Ranch North Community Plans and Planning Groups.

NOTE: See companion Item 336.

FILE LOCATION: SUBITEM-A: LAND - Miramar Ranch North Community Plan; SUBITEM-B: LAND - Scripps Miramar Ranch Community Plan and Miramar Ranch North Community Plan

COUNCIL ACTION: (Tape location: D064-D104.)

MOTION BY BERNHARDT TO CONTINUE THE ITEM TO JULY 31, 1990, AS REQUESTED BY JIM DAWE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Jul-10-1990

ITEM-338: (R-90- ) NOTED AND FILED

Appeal of Shiu Tsung, by Gary Taylor, AIA, Gary Taylor & Associates, Inc., from the decision of the Planning Director in denying Early Release Single-Family Neighborhood Protection Ordinance Case-89-3100, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 4536-4540 Arizona, is located within a single-family neighborhood. The subject property is further described as Lots 33 and 34 of Block 52, University Heights, in Zone MR-1750 (Multi-Family), in the Mid-City Community Plan area. (ER-89-3100. District-3.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

NOTE: Due to action taken by the City Council on Greater North Park Single-Family Neighborhood Classification Map, Item

336 of June 26, 1990, this appeal is no longer necessary. Today's action should be to note and file this item.

FILE LOCATION: ZONE - ERSFNPO CASE ER-89-3100

COUNCIL ACTION: (Tape location: D119-122.)

MOTION BY McCARTY TO NOTE AND FILE THE ITEM. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-339: CONTINUED TO JULY 16, 1990

(Subitem C was continued from the meeting of May 8, 1990, Item 333B, at Councilmember Henderson's request, to be heard with other planning issues after review by the Pacific Beach Community Planning Group.)  
Matter of areas that have been proposed in the Pacific Beach community to be classified as protected single-family

neighborhoods. The areas proposed for single-family protection are already zoned and designated in the Pacific Beach Community Plan for low density, single-family residential development.

Upon adoption of the protected single-family neighborhood maps by City Council, those multi-family areas of the community not mapped as protected single-family neighborhoods will be released from the provisions of the Single-Family Neighborhood Protection Ordinance (O-17250 N.S.), adopted on February 21, 1989. Subsequently, property owners in these areas will be able to apply for permits to construct multi-family residential developments. While the Planning Department is not recommending any changes to the existing multi-family densities in the community, the City Council could decide to designate existing multi-family zoned areas as protected single-family, and rezone properties to a single-family zone.

(District-6.)

Subitem-A: (O-90-206)

Introduction of an Ordinance rezoning various properties in the Pacific Beach Community Planning Area into R1-5000 Zone

to comply with the single-family neighborhood classification map for Pacific Beach.

Subitem-B: (R-90-2198)

Adoption of a Resolution approving an amendment to the Pacific Beach Community Plan, adopted 12/13/83, which changes the recommended residential densities in various areas of the planning area from a maximum of 29 dwelling units per acre to a maximum of 9 dwelling units per acre; this amendment shall not become effective within the areas of Pacific Beach within the jurisdiction of the California Coastal Commission until the Commission unconditionally certifies this amendment as a Local Coastal Program Amendment; adopting an amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the amended plan.

Subitem-C: (R-90-995)

Adoption of a Resolution approving the protected single-family neighborhood map in the Pacific Beach area

and releasing certain property from the provisions of the Single-Family Neighborhood Protection Ordinance.

FILE LOCATION: LAND - Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: G252-I335.)

Hearing began at 4:37 p.m. and recessed at 5:24 p.m.

Hearing resumed at 5:45 p.m. and halted at 6:20 p.m.

Testimony in favor by Kitty Dugan, Bernie Sosna, Tomas Firle, Judy Huhn, Jame Wilhite, Bruce Castette, Natalie Ross, and Joseph Rogers.

Testimony in opposition by Bruce Johnson, Danie Huffman, Charles Anderson, Dennis Cantor, Tonie McMahon, Nina Winn, Blossom McConnell, Thomas Field, Elizabeth Larsen, Lorraine Trap, Mark Shipley, Mary Lou Roser, Doug Holmes, and Chris Gallup.

Motion by Henderson to zone all areas that are now R-1500 multi-family property as R-3000 excepting those areas which would be bounded by Grand Avenue, Garnet and Hornblend. Rezone six blocks, that is, the 1900 Block of Chalcedony, 2000 Block of Chalcedony, 4700 Block of Academy Place, 1600 Block of Missouri Street, the 4000 Block of Honeycutt, and the 1900 Block of Pacific Beach Drive as R-5000. Direct the Planning Department to prepare an ordinance eliminating tandem parking as a credit for meeting multi-family parking requirements for all future Pacific Beach residences and return to Council in 30 days.

Direct staff to, on the basis of their multi-family design ordinance, to come back to Council with any specific suggestions on the multi-family design ordinance for Pacific Beach and return to Council within 60 days. In the interim, given the need to adopt these ordinances, to continue the single-family protection until these ordinances are adopted and there has been final coastal review of this issue. Second by McCarty. No vote.

MOTION BY HENDERSON TO CONTINUE THE ITEM TO JULY 16, 1990, FOR FULL COUNCIL, AND DIRECT STAFF TO PREPARE THE NECESSARY LANGUAGE TO CONTINUE THE SINGLE-FAMILY PROTECTION ORDINANCE IN PACIFIC BEACH AS APPROPRIATE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:25 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I-335-339).